

***Village of Barrington
Zoning Board of Appeals
Minutes Summary***

Date: January 6, 2004

Time: 7:00 p.m.

Location: Village Board Room
200 South Hough Street
Barrington, Illinois

In Attendance: Patricia Pokorski, Chair, Zoning Board of Appeals
Robert Henehan, ZBA
Ryan Julian, ZBA
Bruce Kramer, ZBA
Victoria Perille, ZBA
Peg Moston, ZBA

Staff Members: Jeff O'Brien, Acting Senior Planner
Erin Emerick, Recording Secretary

Call to Order

Chairperson Pokorski called the meeting to order at 7 p.m. Roll Call noted the following: Patricia Pokorski, Chair, present; Ryan Julian, present; Bruce Kramer, present; Peg Moston, present; Victoria Perille, present; and Robert Henehan, present. There being a quorum established, the meeting proceeded.

Chairperson's Remarks

Ms. Pokorski stated the order of the evening's agenda.

New Business

ZBA 03-14 Hertz Corporation (316 W NW Highway)

Petitioners: Ted Bobek, Hertz Corporation; Michael Goodman, Owner.

Mr. Bobek stated they were seeking to open a car rental agency employing 3 people with 10 parking spaces. He stated that most cars will be parked at other locations, such as local car dealerships, and will not use that many parking spaces. Mr. Bobek stated that no servicing or repairing or maintenance will be done on the site.

Ms. Pokorski asked if they were asking for a special use permit.

Mr. Bobek said they were requesting a special use permit to operate an automobile rental business.

Mr. O'Brien presented the staff report. He provided additional details for the proposal. Mr. O'Brien stated that the petition was in compliance with each of the standards for a special use and that staff was recommending approval.

Ms. Pokorski asked for additional comments.

Mr. Goodman stated that he is a business owner in town and has 50% interest in the property they are discussing. He noted that his company will be doing landscaping improvements to soften parking in front and rear. He noted that staff recommended fewer spaces in the front so there will be room for landscaping improvements, as well as allowing some space in the back for landscaping for a buffer from neighborhood. Mr. Goodman stated that the neighbor to north is the Village of Barrington pumping facility. He stated that there will be a few modifications on this portion of the property, just a little asphalt and plant material. Mr. Goodman thanked the board for their time.

Ms. Pokorski asked if the Board had any questions.

Ms. Pokorski asked about the title paragraph on Staff Report. She read the sentences that did not make sense to her, regarding the number of parking spaces on the lot.

Mr. O'Brien stated there are 15 total spaces on site. He noted that for employees, Zoning Ordinance requires 5 spaces. The 10 spaces beyond that number are for the car rental agency, who said they needed 10 for this business. Mr. O'Brien stated that staff visited site and saw that the other 10 spaces that Hertz is requiring will fit on site.

Mr. Julian asked where the parking spaces are going to be laid out.

Mr. O'Brien stated that original plan has been revised and the new plan is in packet.

Ms. Perille said that there are 2 spaces shown in front and 13 behind the building.

Mr. O'Brien stated the original plans indicated that they were going to park four cars up front. He showed the proposed site plan on the overhead projector. He noted that the Zoning Ordinance prohibits parking up front; however, upon visiting site, staff saw the spaces were existing and thinks they should eliminate one of the parking spaces and put landscaping up front to soften the parking up front. Mr. O'Brien stated that this configuration will result in 14 regular spaces and 1 handicap space, which is required.

Ms. Perille asked if the 3 spaces on the East side were staying.

Mr. O'Brien said yes.

Mr. Goodman stated that those spaces were remaining.

Mr. Julian asked if the additional pavement is for 3 car spaces on West side.

Mr. Goodman said yes.

Ms. Pokorski stated they should distinguish between the Hertz 10 spaces and the existing 5 spaces. She thought the site plan was confusing. She stated that the petitioner needed to make the parking plan clear.

Ms. Perille said the 10 spaces for Hertz are for 10 rental vehicles and the petitioner does not think that all 10 spaces will be used. She asked if the other business on the site needed 5 spaces.

Mr. O'Brien said other business needs only 1 space and Hertz has 3 for employees, then they are required 1 handicapped. He noted that the 10 spaces are really limiting Hertz to 10 rental vehicles on site at any one time.

Mr. Goodman said their intention was to have Hertz's name on 10 spaces and that is all they will have.

Ms. Pokorski said staff should clarify that in recommendations they make. She asked about maintenance on site. Ms. Pokorski noted that the petitioners testified that they would have none, but wondered what would they do if a car breaks down on site.

Mr. Bobek said they would have it towed to a service shop if it was not drivable. He assured the ZBA that no maintenance would be done on site.

Ms. Pokorski said she would like to specify in recommendation #1- in addition to 10 rental automobile areas, they will be allowed 1 handicapped and 5 parking spaces.

Mr. Goodman said there would be 10 total parking spaces for Hertz, 1 parking space for handicap usage, and 4 spaces for his business.

Mr. O'Brien stated that staff came up with 15 parking spaces by allocating 10 spaces for rental cars and 5 spaces not dedicated to rental cars. He noted that however the petitioners want to use the spaces for the rental cars is up to them as long as they are always providing 1 space for Mr. Goodman (other business on site) and 3 spaces for Hertz employees. Mr. O'Brien stated that ten (10) parking spaces is maximum number of rental cars they can have on site at a time.

Mr. Henehan stated customers might also be using spaces.

Mr. Julian asked about designating spots for rental cars, employees, etc.; do they care which spaces are used for what?

Ms. Pokorski said the problem with that is that if a new tenant comes into the 2nd floor, they do not have a space.

Mr. Julian said that would be issue with landlord.

Mr. O'Brien said new businesses are required to apply for a Zoning Certificate so that staff can make sure the site has adequate parking for existing and new businesses on site.

Ms. Moston asked about the recommendations – she noted that it sounds like the petitioner will not need 10 parking spaces dedicated to rental cars.

Ms. Pokorski said she thinks staff should take that statement out.

Mr. O'Brien said he does not have to have that statement in, but it should be replaced with more explanation.

Ms. Perille said they could add an item to the conditions.

Ms. Pokorski thinks it is confusing, so they should either explain it or take it out.

Mr. O'Brien said the Zoning Ordinance will specify on what the petitioners have to meet for parking. He is fine with taking sentence out.

MOTION: Mr. Julian moved and Ms. Moston seconded a motion to recommend approval of ZBA 03-14, adopting staff's findings of fact as the ZBA's findings, to the Board of Trustees with the following conditions:

1. No more than ten (10) rental automobiles shall be located on the Property at any one time.
2. A final landscaping plan shall be submitted to the Village of Barrington for approval prior to the issuance of a building permit.
3. All planting of trees, shrubs, ground cover, perennials and sod shall be performed at the appropriate season.
4. The petitioner will be required to enter into a maintenance agreement with the Village of Barrington to ensure proper maintenance of all landscape features.
5. Any exterior modifications to the building will be require a Certificate of Approval

ROLL CALL VOTE: Ms. Pokorski, yes; Mr. Kramer, yes, Ms. Moston, yes; Mr. Julian, yes; Ms. Perille, yes; Mr. Henehan, yes

Motion carries: 6-0

ZBA 03-15 Stevens Residence (643 South Cook Street)

Petitioners: Jarrett & Jeannie Stevens, Owners; Linda Grubb, Architect.

Ms. Pokorski swore in Ms. Grubb.

Ms. Grubb stated that the Stevens were delayed that evening and could not make it to the meeting. She noted that the Stevens are asking to build detached garage and site has a couple problems. Ms. Grubb stated that the property is in historic district and Zoning Ordinance does not recognize different heights for historic structures.

Ms. Grubb thought they would get a height variance on garage to store patio furniture etc. She noted that the Stevens wanted the architecture to blend with the other structures in the historic district and that the ARC thought what Stevens were suggesting was okay. Ms. Grubb mentioned that there is slope on lot, which is reason they cannot move garage over any further. She noted that the neighbor has no problems with the setback variation and that the plans conform to all other zoning regulations. Ms. Grubb noted that this spot is where the garage has to be because of characteristics of lot. She stated that reason for the garage's depth of 27 feet is to allow room for a stairway it also to helps keep garage narrower. She noted that the petitioners are storing things upstairs, but that is reason for extended length. Ms. Grubb apologized because she has just now seen the staff report, and is not yet familiar with it.

Mr. Julian asked if the ARC had seen this petition.

Ms. Grubb said yes; they approved it and sent it to ZBA.

Ms. Grubb asked if board had site plan included in packet.

Ms. Pokorski asked if they should defer until the Stevens can be present.

Mr. Julian said that the Stevens' architect was representing them so they are basically there.

Mr. O'Brien said the Stevens had authorized Ms. Grubb to represent them this evening.

Ms. Pokorski said that she was afraid that the petitioner would complain to the Board of Trustees that they were not allowed to make their case if the ZBA denied the petition.

Mr. O'Brien said the worst he could see happening was the Board of Trustees sending it back. He noted that this decision is up to ZBA. Mr. O'Brien stated that if the ZBA is comfortable proceeding with case, it should continue.

Ms. Pokorski said that she thought the ZBA should wait until the Stevens can be present.

Mr. O'Brien said that was fine.

Mr. Henahan said that the ZBA could hear the case in February.

Ms. Moston stated that staff is recommending denial of the setback and that the Stevens should be present to present their arguments.

Ms. Grubb said the Stevens are anxious to go ahead with this because delays with the ARC have pushed them back several months.

Ms. Grubb addressed the side yard setback. She thinks there is a hardship created by the grade of the lot that perhaps staff has not seen.

Mr. Julian said that in the past setbacks have been something the ZBA has both approved and denied; it is not a given.

Mr. Henahan said that staff was requesting that they shorten the length of the garage not move it in further.

Ms. Grubb asked if the garage was met side yard setback, but not the rear?

Mr. Henahan showed Ms. Grubb on the diagram what staff was recommending.

Ms. Grubb asked Mr. O'Brien where the 3-foot side yard setback started.

Mr. O'Brien said it is in the rear 30 feet.

Mr. Henehan said that staff was requesting that the garage was shorter, but the petitioners can still have stairway.

Ms. Grubb said that the Stevens did not tell her what to do in the case of a denial by the ZBA.

Mr. O'Brien said the Stevens have been out of town, which is the reason Ms. Grubb had not yet seen the staff report.

Ms. Pokorski stated that given the Stevens are not here and that Ms. Grubb had not reviewed the Staff report prior to the meeting, she thinks that she would not be in favor of going ahead with a ruling at this meeting.

Ms. Grubb agrees that the Stevens should read the Staff Report before proceeding.

MOTION: Mr. Henehan motioned to continue ZBA 03-15 to the February 3, 2004 at 7:00 pm. Mr. Julian seconded. Roll Call Vote: Pokorski – yes, Julian – yes, Kramer – yes, Moston – yes, Perille – yes, Henehan – yes.

Approval of Minutes

January 7, 2003 minutes:

Ms. Pokorski stated it would take 2 hours to go through all the changes, so they will continue them again.

Planner's Report

Mr. O'Brien stated there would be 2 cases on next month's meeting, including Stevens case and an appeal of Mr. Wallace's decision for Jewel building.

Ms. Pokorski asked what the chapter of the Zoning Code they should be up on.

Mr. O'Brien said Chapter 3 Part 2 Subsection 3.18, appeals section. He noted that specific questions should be directed to Jim Wallace

Mr. O'Brien said they are sending Dairy Queen and Marathon petitions to board of trustees on Monday.

ADJOURNMENT

MOTION: Mr. Henehan moved to adjourn. Ms. Perille seconded. Voice vote recorded all yes. The meeting was adjourned at approximately 7:55 p.m.

Respectfully submitted,
Erin Emerick, Recording Secretary

Patricia Pokorski, Chairperson
Zoning Board of Appeals